

Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811 Phone 410-641-2770 Fax 410-641-2316 www.berlinmd.gov



Mayor Wm. Gee Williams, III

Vice President Elroy Brittingham, Sr.

Council Members
Dean Burrell, Sr.
Lisa Hall
Paula Lynch
Troy Purnell

Town Attorney David Gaskill

Town Administrator Anthony J. Carson, Jr. BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

MONDAY, JULY 30, 2012

COUNCIL CHAMBERS – BERLIN TOWN HALL 10 WILLIAM STREET BERLIN, MD 21811

EXECUTIVE SESSION	NONE SCHEDULED
REGULAR SESSION	7:00 PM

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Tony Carson, Town Administrator at (410) 641-4144. Written materials in alternate formats for persons with disabilities are made available upon request.

TTY users dial 7-1-1 in the State of Maryland. TTY users outside Maryland dial 1-800-735-2258

BERLIN MAYOR AND COUNCIL COUNCIL MEETING AGENDA Monday, July 30, 2012

NO EXECUTIVE SESSION TO BE HELD

7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers

- 1. Approval of the Minutes for:
 - Regular Session of the Mayor and Council on July 9, 2012 Executive Session of the Mayor and Council on July 9, 2012 Statement of Closure for Mayor and Council on July 9, 2012
- 2. Request for Special Event Berlin Sidewalk Sale
 - Friday, August 10th 8 am to 9 pm
 - Saturday, August 11th 8 am to 6 pm
- 3. Request for Special Event Berlin Fiddler's Convention
 - Friday, September 21^{st;}
 6 pm to 10 pm
 - Saturday, September 22nd 10 am to 5 pm
 - Sunday, September 23rd 11 am to 2 pm
- 4. Motion to Approve Contract with Gillis Gilkerson for \$327,900.00 for Branch Street Water Treatment Building
- Resolution 2012-07 Community Legacy Grant
- Presentation Mike Gibbons Street and Sidewalk Improvements FY13
- Motion to Approve Deviation from Town Standards to allow a temporary dead end water line.
- Departmental Reports
 - a. Deputy Town Administrator Mary Bohlen
 - b. Public Works Mike Gibbons
 - c. Water Resources Jane Kreiter
 - d. Electric Tim Lawrence
 - e. Police Arnold Downing
 - f. Planning and Zoning Chuck Ward
 - g. Human Resources Jeff Fleetwood
 - h. Economic and Community Development Michael Day
- 9. Town Administrator's Report
- Comments from the Mayor

- 11. Comments from the Council
- 12. Comments from the Public
- 13. Comments from the Press
- 14. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND Regular Session Council Minutes Monday, July 9, 2012

The meeting of the Mayor and Council for Monday, July 9, 2012 was called to order by Mayor Williams at approximately 7:02 p.m. Councilmembers Lynch, Purnell, Hall, Brittingham and Burrell were present, as well as Town Administrator Tony Carson, Human Resources Director Jeff Fleetwood, Electric Utility Director Tim Lawrence, Deputy Town Administrator Mary Bohlen, Water Resources Director Jane Kreiter, Public Works Director Mike Gibbons, Police Chief Arnold Downing, Planning & Zoning Director Chuck Ward, Economic and Community Development Director Michael Day and Administrative Assistant Sharon Timmons. Town Attorney David Gaskill and Finance Director Lynn Musgrave were absent.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for a motion to approve the Regular Session Minutes of June 27, 2012. Councilmember Lynch noted several changes to the minutes, asking to include the wording "and possible relief for Special Connection Fees" in the last sentence of the paragraph regarding Coastal Hospice, add "Barrett" in front of the word apartments and change "enjoying" to "enjoyed". Councilmember Brittingham made a motion to approve the minutes as corrected and council voted to approve 5-0. A copy of the revised minutes will be in the next council packet. Mayor Williams then asked for a motion to approve the Executive Minutes from June 27, 2012. Councilmember Lynch made a motion to approve the minutes and council voted to approve 5-0. Mayor Williams stated that the Executive Session was closed to discuss a personnel matter which affects one or more persons.

Ms. Susan Taylor, Curator and Ms. Jan Qulck, President of the Berlin Heritage Foundation came before the council to request approval of the Special Event known as the Berlin Peach Festival to be held at the Taylor Museum on Saturday, August 4th from 11 a.m. to 5 p.m. with a rain date of Sunday, August 5, 2012. Ms. Quick summarized the items needed for the festival and asked the public works department to provide additional trash cans. Discussion continued. Mayor Williams asked Public Works to put out 10 trash cans with additional ones in the back for use if needed. Discussion continued regarding moving the date of the festival in the future dependent on the weather and/or availability of peaches. Councilmember Purnell made a motion to approve the event and council voted to approve 5-0.

Police Chief Arnold Downing of the Berlin Police department came before the council requesting approval of the Special Event known as National Night Out. The event will be held on Tuesday, August 7, 2012 at Dr. William Henry Park from the hours of 4:00 p.m. to 7:00 p.m. Town Administrator Tony Carson commended Chief Downing for continuing to hold the event even though CSAFE monies were no longer available. Chief Downing stated that the loss of funds had inspired the community and many agencies to assist through partnerships and donations to help fund the event. Councilmember Burrell made a motion to approve the event National Night Out and council voted to approve 5-0.

Mr. Ernest Gerardi came before the council to request a monthly payment plan over a 5 year period on the balance of \$120,140.00 due on the EDU's for Paco's Tex Mex and Beyond located at 119 North Main Street. Mr. Gerardi stated that the Italian restaurant was due to open on July 18th with a grand opening on Saturday, July 21st and that Paco's Tex Mex should open about 8 days later. Mayor Williams asked Mr. Gerardi if he felt allowing the ability to apply for a payment plan for payment of EDU's would help those people looking to invest and Mr. Gerardi replied that he felt that it was financially helpful for new businesses.

Water Resources Director Jane Kreiter stated that due to the limited amount of service that the Waystead Inn would supply regarding the serving of food, engineering firm Davis, Bowen & Friedel had reviewed and recommended the Thermaco Grease trap be allowed with the stipulations that the trap be cleaned monthly and that all drains flow through the trap. Mayor Williams stated that the town should be provided with a copy of the contract each year to ensure that the cleaning work is being done. Councilmember Lynch made a motion to approve and council voted to approve 5-0.

Mayor Williams asked to table item #6, EMS Standard Operating Procedures until the next meeting to allow the parties involved more time to refine all of the issues. Council agreed in consensus.

Mayor Williams requested a change in the date of the next council meeting from July 23rd to July 30th due to personal reasons. Councilmember Brittingham made a motion to change the date of the meeting from July 23rd to July 30th and council approved 5-0.

Departmental reports began with Deputy Town Administrator Mary Bohlen reporting that the Election Board Supervisors would be meeting on July 10th regarding the 2012 election and that the Parks Commission would be meeting on July 11th to discuss the Henry Park walking path and their presentation for National Night Out. She also stated that the Town election would be held on October 9th.

Mayor Williams asked Public Works Director Mike Gibbons if he would have information ready by the next meeting for the discussion of the repair of streets and sidewalks throughout town. Councilmember Brittingham stated that weeds had begun growing again in the sidewalks and streets on Main, William and Flower Streets and he felt those areas may need to be re-treated.

Water Resources Director Jane Kreiter reported that her department was in the process of cleaning up and securing the Rayne Property. Mr. Carson stated that council would be receiving a proposal for a lean-to structure and fencing for the property.

Electric Utility Director Tim Lawrence reported that his department had been reading meters, had replaced the low sodium lights beginning on Broad Street going past the Cottages of Berlin, were trimming trees throughout town and had generated 7 times since June due to the hot weather. Councilmember Burrell inquired about the tree trimming and Mr. Lawrence stated that they were trimming the spots where the limbs may be encroaching on the lines. Councilmember Brittingham asked how many low sodium lights still needed to be installed and Mr. Lawrence replied about 70. Mr. Lawrence continued his report stating that 2 of the additional repeaters for the WIFI system had been installed with the last one being installed on July 10th. Mayor Williams asked Economic and Community Development Director Michael Day when the informational signs for the WIFI would be in. Mr. Day stated that the vendor had them on a rush, but the stickers advertising it were up throughout town.

Mayor Williams asked Mr. Day to give his report at this time. Mr. Day stated that the 78th Army band had played at the Atlantic Hotel on July 3rd, the Brass Band had played at the Taylor Museum on Sunday and that the Bathtub races would be held on Friday, July 13th. He also reported that the foot traffic downtown had increased and that the businesses were pleased.

Police Chief Arnold Downing reported that he had met with the new Principals and Vice-Principals at the schools and updated their emergency contacts. He reported that the new K-9 dog "Luke" had arrived and that "Titus" has been officially retired.

Planning & Zoning Director Chuck Ward reported that the Historic District Commission would be meeting on July 11th and had attended a seminar on the new state septic bill. He continued reporting that the Planning Commission would be meeting on July 18th and should have a draft of about 1/3 of the zoning code. He finished his report stating that a building permit had been issued to Burley Inn Tavern which is the former location of Goobers. Mayor Williams stated that he was able to testify in support of the septic bill at the legislation in February.

Town Administrator Tony Carson reported that the Broad Street Sidewalk Improvement project was advertised in Sunday's paper. The pre-bid will be held on July 23rd with the bid opening to be held on July 30th. Mr. Carson stated that the design of the project had been scaled back due to stormwater issues and will cover from the railroad tracks to Esham Avenue on the south side of the road(Phase I). Phase II covers from Esham Avenue to Ann Drive. Discussion followed. Councilmember Lynch inquired about the section of the sidewalk which is made of brick and Mr. Carson stated that State Highway will replace that portion. The costs for the sidewalk improvements will come out of the impact fees.

Mr. Carson reported on the financials through May. He stated that the General Fund revenues through May had exceeded the budgeted amount by \$641,000.00 with one more month to report. Mr. Carson stated that he expected the total General Fund revenues to be around \$900,000.00 at the end of the fiscal year. He then reported that the expenditures at the end of the fiscal year should be around 1% less or right on target for what was anticipated. The Enterprise Funds revenues exceeded \$389,000.00 for the electric fund, \$160,000.00 for the water fund and \$316,000.00 for the sewer fund. Real property came within .001 of the projection.

Mr. Carson then presented and requested approval of 12 purchase orders (201300021, 201300023, 201300029, 201300075, 201300077, 201300078, 201300077, 201300082, 201300033, 201300017, 201300101 and 201300123). Councilmember Burrell inquired about the services provided by D3 Corp to the website. Ms. Bohlen explained. Councilmember Lynch inquired if the rates charged by Card's Computers were the same as last year and Ms. Bohlen replied yes. Councilmember Brittingham made a motion to approve all 12 purchase orders and council voted unanimously to approve 5-0.

Mayor Williams commented on the large crowd for the concert held at the hotel and asked Mr. Day if it would be possible to obtain another band for the same time next year. Discussion followed. Councilmember Hall commented that the Berlin Youth Camp was doing a great job and that she was hoping for extended hours in the future. She also noted that there were still openings for youth to attend and that there was no cost to attend the camp. She continued speaking about the improvements with the conditions of our Coastal Bays. There being no questions from the public or press. Councilmember Burrell made a motion to adjourn and the meeting ended at 8:00 p.m.

Respectfully submitted,

Sharon Timmons

Administrative Assistant



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811 Phone 410-641-2770 Fax 410-641-2316 www.berlinmd.gov



Mayor Wm. Gee Williams, III

Vice President Elroy Brittingham, Sr.

Council Members
Dean Burrell, Sr.
Lisa Hall
Paula Lynch
Troy Purnell

Town Attorney
David Gaskill

Town Administrator Anthony J. Carson, Jr.

RESOLUTION 2012-07

Resolution of the TOWN OF BERLIN MAYOR & COUNCIL approving the application and receipt of financing for a [Community Legacy Project(s)] (the "Project") further described in the Community Legacy Application ("The Application"), to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, the TOWN OF BERLIN MAYOR & COUNCIL recognizes that there is a significant need for reinvestment and revitalization of the communities in WORCESTER COUNTY; and,

WHERBAS, the Department, either through Community Legacy or through other Programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the "Project Financing") in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Community Legacy Project and the Project Financing by the TOWN OF BERLIN MAYOR & COUNCIL and, where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREFORE BE IT RESOLVED THAT, the TOWN OF BERLIN MAYOR & COUNCIL hereby endorses the Project; and,

HEREBY approves the request for financial assistance in the form of a grant or loan, up to the amount of \$115,000; and,

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating [his or her] approval thereof; and,

BE IT FURTHER RESOLVED THAT, the MAYOR OF BERLIN is hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

READ AND PASSED THIS	day of, 20
BY ORDER: is true and correct and	, I hereby certify that Resolution Number duly adopted by the Town of Berlin of Worcester County
ATTEST/WITNESS:	TOWN OF BERLIN
	By:
	Name:
	Title:
	Approved By:
	Name:
	Title:
	[Chief elected executive official]
	Date:

.

•

TOWN ADMINISTRATOR'S REPORT July 30, 2012

Purchase Orders

PO# 201300149 in the amount of \$4,750.00 to Cain Masonry for masonry repairs to Town Hall.

PO# 201300081 in the amount of \$1,125.00 to TJ/H2B Analytical for testing of oil samples from Power Plant and Substation. Is an annual requirement per Public Service Commission.

PO# 201300157 in the amount of \$46,001.45 to Pep-Up for #2 ultra low sulfur fuel oil.

PO# 201300200 in the amount of \$2,943.25 to Meadow Hydraulics for body work on GMC vehicle for Electric department.

PO# 201300210 in the amount of \$16,800.00 to Whaley Sign Company for billboard rental from August 2012 to July 2013.

PO# 201300217 in the amount of \$1,821.75 to American Public Power Association for APPA Annual Utility Membership Dues.

PO# 201300214 in the amount of \$3,384.00 to Maryland Unemployment Insurance Fund for unemployment payment.

PO# 201300238 in the amount of \$58,522.00 to Local Government Insurance Trust for Property, Auto and Liability Insurance.

PO# 201300270 in the amount of \$1,672.50 to Feedwater Treatment Systems for chemicals for Power Plant.

PO# 201300271 in the amount of \$11,177.00 to Ermco for 500 KVA replacement transformer for Food Lion.

PO# 201300272 in the amount of \$3,785.00 to HD Supply Utilities for 100 heavy duty surge arrestors.

PO# 201300277 in the amount of \$6,798.00 to Scott DeFelice for additional building structure to be built at Rayne's Property.

PO# 201300244 in the amount of \$11,210.00 to Intercoastal Trading for soda ash.

PO# 201300282 in the amount of \$1,800.00 to CUES for enhanced software support plan for camera truck.

PO# 201300287 in the amount of \$1,524.60 to Sensus for yearly renewal for sensus system support program.

PO# 201300296 in the amount of \$1,637.58 to West Recreation for pole padding for Henry Park Basketball courts.

<u>Updates</u>